

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FREDDIE LOUIS DILLARD,

Plaintiff,

v.

SUSAN GAERTNER,

Defendant.

Civil No. 09-1138 (JNE/JJG)

**ORDER ON REPORT AND
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. Plaintiff's motion for injunctive relief, (Docket No. 3), is **DENIED**; and
3. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: September 1, 2009

s/ Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge